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RESOLUTION NO. 48-85

BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA

**A RESOLUTION AND ORDER ESTABLISHING AND ORGANIZING
MISTY MOUNTAIN DOMESTIC WATER IMPROVEMENT DISTRICT**

WHEREAS, the Clerk of the Board of Supervisors of Navajo County set Tuesday, May 14, 1985 at the hour of 10:00 o'clock A.M. at the Board of Supervisors Chambers, South Highway 77, Holbrook, Arizona as the time and place for the hearing on the formation of the Misty Mountain Domestic Water Improvement District and any objections thereto; and

WHEREAS, notice was appropriately posted, published and mailed to the property owners pursuant to the provisions of A.R.S. Sec. 11-705; and

WHEREAS, it appears that the Petition is signed by the requisite number of owners of real property, and that the public convenience, necessity or welfare will be promoted by the establishment of the District;

NOW, THEREFORE, IT IS FOUND, RESOLVED, DETERMINED AND ORDERED AS FOLLOWS:

1. The Board of Supervisors finds that:

a. The Petition is signed by a majority of the owners or by the owners of more than fifty-one percent (51%) of the real property, which is the requisite number of owners as provided by A.R.S. sec. 11-703;

b. That the public convenience, necessity or welfare will be promoted by the establishment of the District;

c. That notice has been published, posted and mailed pursuant to A.R.S. Sec. 11-705;

d. That the property included within the District will be benefited thereby.

2. That the boundaries of the District shall be those set forth in Exhibits A and B, attached hereto and incorporated herein by reference.

3. That the Improvement District shall be known in all proceedings as the Misty Mountain Domestic Water Improvement District.

4. That these findings and orders are made after public hearing required by A.R.S. Sec. 11-705.

5. That by virtue of the authority set forth in A.R.S. Sec. 11-706 the District is hereby established, formed, organized, and shall be a body corporate with the powers of a municipal corporation for the purposes of carrying out the provisions of Title 11, Chapter 5, Articles 1 and 1.3, of the Arizona Revised Statutes.

6. That the District is to be governed by an elected Board of Directors of five (5) members who are qualified electors of the district. The first Board of Directors shall be:

1. Keith Kiekebusch
2. Steve Johnson
3. Grant Jorgenson
4. LeRoy Goats
5. Sheryl Eaton.

7. That the term of every elected office shall commence on the second day of January following the election of Board members to fill vacancies on the Board, said election to be held on the first Monday of each November of every even numbered year.

ADOPTED this 14th day of May, 1985.

BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA


Chairman

ATTEST:


Clerk

(SEAL)

DD2/ResOrdMMD
R.05/10/85

EXHIBIT A

The Southwest quarter of the Northwest quarter; the northwest quarter of the Southwest quarter; and the West half of the Southeast quarter of the Northwest quarter of Section 9, Township 9 North, Range 23 East of the Gila and Salt River Base and Meridian, Navajo County, Arizona.

DD/LegalMMtn

